

## **REMARKS**

In accordance with the foregoing, the specification and claim 6 and 11 have been amended. Claim 1-5, 12, 13, 23-26 has been cancelled. Claims 6-11, 14-22, 27 and 28 are pending and under consideration.

### **ALLOWABLE SUBJECT MATTER**

Applicants acknowledge with appreciation the indication that claims 27 and 28 are allowed.

### **CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 6-11, and 14-21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0163710 to Ortiz et al. (hereinafter "Ortiz") in view of U.S. Patent Application Publication No. 2002/0010862 to Ebara ("Ebara").

Independent claim 6 is amended herewith to clarify that the "biometric data output unit which selects and outputs **another** kind of biometric data of said person, designated by an authentication device, from said biometric data storing unit to the authentication device including a dictionary data storing unit storing dictionary data, to authenticate said person by matching said another kind of biometric data with said dictionary data after said person has been authenticated by said person authentication unit." The claim amendments are fully supported by the originally filed specification, for example see FIGS. 3 and 4 with the corresponding description, where the terminal device acquires fingerprint data, but submits iris data to the authentication device.

As discussed in the amendment filed on October 24, 2007, Ortiz's system asks the user to provide a randomly selected biometric attribute for identification (see claim 11 of Ortiz) which requires a biometric data acquisition system capable to acquire data for all of the plurality of biometric attributes at the access point. In contrast to Ortiz, according to claim 6, the terminal device outputs biometric data stored in the biometric data storing unit to the authentication device "based on said acquired one kind of biometric data." The amended claim 6 makes it clear that the output biometric data is another kind of data from the biometric data storing unit than the acquired biometric data.

Ebara discloses a biometric authentication system in which template data are transmitted from one enterprise to another to allow authentication by different enterprises. For example, as described in paragraph [0038] of Ebara, the second authentication apparatus acquires iris pattern when the second enterprise system 2 requests the user's iris pattern. In other words,

Ebara corresponds to the prior art illustrated in FIG. 14 of the application. Therein, terminal 95 acquires only fingerprint data so its data can be compared only in the fingerprint authentication unit 91, and terminal 96 acquires only iris data so its data can be compared only in the fingerprint authentication unit 92.

According to claim 6, the terminal device acquires one kind of biometric data but is able to provide another type of biometric data once the person was authenticated by the terminal device.

Amended independent claim 6 and claims 7-10 depending from claim 6 patentably distinguish over the prior art at least because claim 6 recites

a biometric data output unit which selects and outputs another kind of biometric data of said person, designated by an authentication device, from said biometric data storing unit to the authentication device including a dictionary data storing unit storing dictionary data, to authenticate said person by matching said another kind of biometric data with said dictionary data after said person has been authenticated by said person authentication unit.

In view of the above discussion and respective claim amendments, claim 11 and claims 14-22 depending directly or indirectly from claim 11 are also patentable at least because claim 11 recites "a biometric data transmitting unit which outputs at least another kind of biometric data when said person has been authenticated by the second person authentication unit."

Claims 22 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ortiz and Ebara in further view of U.S. Patent Application Publication No. 2001/0025342 to Unchida ("Uchida").

Uchida does not correct or compensate the above identified failure of Ortiz and Ebara to teach all the recitations of independent claim 11. Thus, claim 22 is patentable at least by inheriting patentable features from independent claim 11.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: Feb 27, 2008

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